

Richard A. Williamson (RW-3033)  
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Attorneys for WTCP Cross-Claim Plaintiffs  
World Trade Center Properties LLC,  
1 World Trade Center LLC,  
2 World Trade Center LLC,  
4 World Trade Center LLC,  
5 World Trade Center LLC, and  
7 World Trade Company, L.P.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	21 MC 97 (AKH)
:	21 MC 101 (AKH)
:	
IN RE SEPTEMBER 11 LITIGATION	: <b>NOTICE OF CROSS-MOTION</b>
	: <b>BY WTCP CROSS-CLAIM</b>
	: <b>PLAINTIFFS TO SEVER AND</b>
	: <b>STAY CLAIMS FOR PUNITIVE</b>
IN RE SEPTEMBER 11 PROPERTY DAMAGE	: <b>DAMAGES OR, IN THE</b>
AND BUSINESS LOSS LITIGATION	: <b>ALTERNATIVE, BIFURCATE</b>
	: <b>ALL ACTIONS IN WHICH</b>
	: <b>PLAINTIFFS SEEK PUNITIVE</b>
	: <b>DAMAGES, ORDER A</b>
	: <b>SEPARATE TRIAL FOR THE</b>
	: <b>PUNITIVE DAMAGES CLAIMS,</b>
	: <b>AND DEFER ENFORCEMENT OF</b>
	: <b>ANY JUDGMENTS FOR</b>
-----X	: <b><u>PUNITIVE DAMAGES CLAIMS</u></b>

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of the Cross-Motion by WTCP Cross-Claim Plaintiffs To Sever and Stay Claims for Punitive Damages or, in the Alternative, Bifurcate All Actions in Which Plaintiffs Seek Punitive Damages, Order A Separate Trial For the Punitive Damages Claims, and Defer Enforcement of Any Judgments for Punitive Damages, the Declaration Of

Wolfgang A. Dase, Esq. in Support of the Cross-Motion by WTCP Cross-Claim Plaintiffs to Sever and Stay Claims for Punitive Damages or, in the Alternative, Bifurcate All Actions in Which Plaintiffs Seek Punitive Damages, Order a Separate Trial for the Punitive Damages Claims, and Defer Enforcement of Any Judgments For Punitive Damages, executed on May 25, 2007, and upon all prior pleadings and proceedings had herein, cross-claim plaintiffs World Trade Center Properties LLC, 1 World Trade Center LLC, 2 World Trade Center LLC, 4 World Trade Center LLC, 5 World Trade Center LLC, and 7 World Trade Company, L.P. (collectively "WTCP Cross-Claim Plaintiffs"), by their attorneys, Flemming Zulack Williamson Zauderer LLP, will move this Court, before the Honorable Alvin K. Hellerstein, United States District Judge, on June 14, 2007, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order that, pursuant to Fed. R. Civ. P. 42, in the event any plaintiffs are allowed to proceed with their claims for punitive damages, this Court should (i) sever and stay these claims until all claims against the Aviation Defendants for compensatory damages have been finally disposed of; or (ii) in the alternative, bifurcate all actions in which plaintiffs seek punitive damages, order a separate trial for the punitive damages claims, and defer enforcement of any judgments for punitive damages until all judgments for compensatory damages have been paid in full or are otherwise finally disposed of.

Pursuant to Local Civil Rule 6.1(b), opposing affidavits or memoranda of law, if any, shall be served within ten business days after the service of these moving papers,

and any reply affidavits or memoranda of law shall be served within five business days after the service of such answering papers.

Dated: New York, New York  
May 25, 2007

Respectfully submitted,

**FLEMMING ZULACK WILLIAMSON  
ZAUDERER LLP**

By: 

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TO: All Counsel in 21 MC 97 (AKH)  
and 21 MC 101 (AKH)